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A NOTE ON GAIVS MEMMIUS

Many students of Lucretius, *De Rerum Natura* have been perplexed by the poet's choice of Gaius Memmius as his patron¹. It is indeed difficult to believe that the author of a poem in which zealous devotion to Epicurus is so conspicuous actually selected as the sole contemporary to be mentioned in his work one to whom the characteristic fervor of the Epicurean poet's admiration for his great teacher meant less than nothing.

Two methods of dealing with the difficulty are apparent.

First, the student of the problem might try to establish that Lucretius dedicated his poem to some other member of the Gens Memmia. The identification of Lucretius's patron with the Gaius Memmius who was a provincial official in Bithynia has been traditional since Lambinus², but there is no unequivocal proof that Lambinus's supposition is correct. This solution, that Lambinus's identification is incorrect, is attempted by Ribbeck³. His arguments, to be sure, make quite clear the difficulties involved in identifying the Memmius of the *De Rerum Natura* with the profligate individual who is portrayed in the traditional accounts of Gaius Memmius, Governor of Bithynia. But apparently there was no other member of the family whose record accords even as well as that of this Gaius Memmius with the data of Lucretius's poem⁴. Hence Ribbeck's conclusions have not met with general approval.

A second method of resolving the difficulty might consist, logically, in demonstrating that the traditional conception of Gaius Memmius's personality is open to revision. Specifically, the student of the question might remove the inconsistency under discussion by showing that Gaius Memmius was not really unsympathetic to Epicureanism at all. The obvious approach to this second solution would be by way of a survey of the sources for the traditional impression of Gaius Memmius. Accordingly, the writer of this note has attempted such a survey; a representative fragment of his conclusions is here presented.

¹Professor William A. Merrill, in his edition of Lucretius, 24, says: "... He < = Memmius > lived a profligate life, and it seems difficult to harmonize Lucretius's reverence for his character with the man's reputation..." This statement is representative. (Professor Merrill's edition of Lucretius was published by the American Book Company, in 1907).

²The identification is to be found in the essay, *De C. Memmio Gemello*, printed near the end of Lambinus's Preface, the pages of which are not numbered (the third edition of Lambinus's work appeared in 1570).

³Otto Ribbeck, *Geschichte der Römischen Dichtung*², 1.276, and the note on this passage to be found on pages 354-355 (Stuttgart, J. C. Cotta'schen Buchhandlung, 1894-1900. 3 volumes. Pp. VIII + 358; VI + 373; 372).

⁴Theodor Mommsen, *Geschichte des Römischen Münzwesens*, 597 (Berlin, Weidmann, 1860), made a study of the Gens Memmia. For some reason, however, Mommsen's *stemma* was incomplete. Artur Biedl, *De Memmiorum Familia*, *Wiener Studien* 48 (1930), 98-107, made additions and corrections. After working out a *stemma* independently, I myself found results in general agreement with those of Biedl.

After the collapse of his hopes for a political career⁵, Memmius withdrew to Athens⁶, where, despite efforts to effect his recall⁷, he remained until his death⁸. But of his life at Athens we have only random bits of information, some of which, however, are very interesting. For instance, in the year 51 Cicero on his way to the province of Cilicia stopped at Athens with the intention of conferring with Memmius, but found that he had gone to Mitylene on the previous day⁹. Cicero accordingly addressed him there in a letter which in exquisite *savoir faire* rivals the achievements of a Madame de Sevigne¹⁰. Cicero expresses his regret that he missed Memmius at Athens and voices the hope that he may soon see him. Referring to Memmius's banishment Cicero sympathizes with him for the injustice that has been done to him, but urges him to bear his misfortune with fortitude¹¹. Cicero then discloses his purpose in writing—to ask a favor, the granting of which would be of slight moment to Memmius, but of great consequence to Cicero. It appears that Patro, the present head of the Epicureans, had asked Cicero at Rome to intercede with Memmius for the purpose of bringing about a reconciliation between Memmius and Patro, with the further object of inducing Memmius to return to the Epicureans a deed to the former School of Epicurus which Memmius held by right of a decree of the Areopagus. About this matter Cicero had not written to Memmius from Rome, he says, because he had understood that Memmius intended to build on the site, but, now that Memmius has evidently abandoned the project of build-

⁵Cicero, *Ad Atticum* 4.15.7, 4.16.5, 4.17.2; *Ad Quintum Fratrem* 2.14.4; Appian, *Bellum Civile* 2.4.24; Plutarch, *Pompey* 55; Valerius Maximus 9.5.3.

⁶That Athens was the place of Memmius's exile appears from Cicero, *Ad Familiares* 13.1. Yet Robert Yelverton Tyrrell and Louis Claude Purser, *The Correspondence of M. Tullius Cicero*, 3, 44 (Dublin, Figgis and Company, 1885-1901. 7 volumes), speak of Memmius as in exile at Mitylene. Pauly, *Real-Encyclopädie der Classischen Altertumswissenschaft*, 4.1775 (original edition), and Merrill, 24 (as cited in note 1, above) say that Memmius was banished to Patrae. This last error rests upon a false identification of C. Memmius with a certain C. Maenius Gemellus mentioned by Cicero, *Ad Familiares* 13.19.2. Although the falsity of this identification was pointed out by Mommsen (compare Herman Sauppe, *Zu Lucretius* 1.24, *Philologus* 22 [1865], 182), it is still assumed to be correct by Herbert Appold Grueber, *Coins of the Roman Republic in the British Museum*, 1.307 (London, The British Museum, 1910. 3 volumes), and by Harry Thurston Peck, *Harper's Dictionary of Classical Literature and Antiquities*, 1027 (New York, American Book Company, 1897).

⁷Cicero, *Ad Familiares* 6.1.23, speaks of Curio's interceding in Memmius's behalf. It is probable that Memmius asked Cicero to help him. Cicero, *Ad Atticum* 6.1.10, seems to refer to a letter from Memmius.

⁸The date of Memmius's death is uncertain. The date commonly accepted (49 B. C.) is based upon the false identification discussed in note 6, above.

⁹Several scholars infer that Memmius went to Mitylene to avoid Cicero. But the two afterwards met, as Cicero, *Ad Familiares* 13.3, informs us.

¹⁰Cicero, *Ad Familiares* 13.1. Cicero, *Ad Atticum* 5.11.6, admits that he wrote this letter *accurate*. Edward Gibbon admired this letter. Compare his *History of the Decline and Fall of the Roman Empire*, 4, 107, note 146 (New York and Chicago, United States Book Company, no date. 6 volumes).

¹¹Appian, *Bellum Civile* 2.4.24, tells us that Memmius turned state's evidence during the trial of Metellus Scipio. He really should have received exemption according to the provisions of the *Lex Aelia Calpurnia*.

ing, Cicero urges him to grant the petition of Patro. Another motive that has induced Cicero to make this request is that Atticus has asked him to do so. Naturally, Cicero hastens to add, Atticus is too much of a gentleman to be concerned vitally in such matters, but, like Cicero, he really thinks quite well of Patro. Cicero then concludes with the suave assurance that, although Memmius's compliance would be acceptable, he does not presume to urge consent to the repeal of the decree of the Areopagus if it should prove contrary to Memmius's inclinations.

This situation with regard to the property of the Epicurean School is extremely puzzling. The building, which is described by Cicero in terms that suggest a ruin, was in the Deme Melite, and had been willed with the garden and all appurtenances by Epicurus to his followers with the provision that it be held by the successive heads of the School in perpetuity¹². Most students of Lucretius suppose that Memmius intended to build a house on the site. But it seems inconceivable that the Areopagus would have granted permission for Memmius to desecrate such a historic spot with a dwelling. Certainly the Epicureans at Athens would have met with success in their inevitable opposition to this measure. Cicero's references to Memmius's plans to build require elucidation, but we must be content if a reasonable hypothesis can be offered in place of the unattainable certainty.

We know that Patro had been a friend of Memmius and his family during the happier days at Rome. It would, then, seem quite natural for Memmius to offer to restore at his own expense the ruins of the beloved School. We know, further, that the friendship of Patro and Memmius had been wrecked in a quarrel. It is natural to assume that the ground of the quarrel, for which no other explanation is offered, was a disagreement over the restoration of the building. If we recall Memmius's fitful and choleric turn of mind, we can easily imagine a scene in which the philanthropist's anger was aroused over some detail of the projected restoration as suggested by Patro, the philosophical visionary whose fanatical words in praise of his School and its founder, even as quoted by Cicero in a characteristic *praeteritio*, have an almost Lucretian frenzy. Comparable incidents are not unknown in the history of gifts to institutions of learning. Furthermore, the hypothesis that Memmius intended to restore the School is not necessarily at variance with the terms of Cicero's letter. Cicero uses *aedificatio* and *aedificare* of the proposed construction, words which might refer to any building. Finally, it is entirely possible that Cicero may have failed to understand this feature of Memmius's plans.

By granting the possibility that Memmius may once have agreed to rebuild the Epicurean School at Athens we provide a certain motivation for Lucretius's choice of a recipient for the most flattering dedication at his command. On the other hand, if we are not to accept this possibility, one thinks of two possible alternatives, both familiar to students of the *De Rerum Natura*. It might be urged that Lucretius was attracted by

Memmius's dazzling versatility, so foreign to the poet's scholarly singlemindedness. Secondly, one may urge that Lucretius's choice of a patron was determined by his interest in the money and the distinction which come from association with a great house. Neither of these alternatives, it seems to me, may fairly be accepted before it is proved that the author of the *De Rerum Natura* presents in his poem an insincere and quite false portrait of himself. But Lucretius's vehement protestations that his life was one of scholarly retirement and that he loved the days and nights spent in scientific speculation are commonly felt to have the ring of sincerity. If for once, then, we may credit our intuition, we shall conclude with the opinion that Lucretius as we know him from his work was incapable of admiring either the frivolous superficiality or the wealth and the social position of the Memmius presented in the traditional accounts. But how differently he would have felt toward a man who promised a restoration of Epicurus's glory!

DARTMOUTH COLLEGE

JOHN BARKER STEARNS

THE CONDITION OF STREETS IN ANCIENT ATHENS AND IN ANCIENT ROME

In his excellent handbook, *Life in Ancient Athens*¹, Professor T. G. Tucker remarks (50):

... It is also a pity to have to say that the public streets were anything but respected by the householders. Slops and garbage of the worst description were cheerfully thrown into the road, and just as the old Edinburgh people, emptying their dirty water from the windows, were wont to call out "Gardy-loo" (*gardez l'eau*), so the Athenians thought themselves free of blame if they cried out *existo*, "stand out of the way," on such occasions....

This public nuisance is illustrated for fifth-century Athens by Aristophanes, *Acharnians* 616-617:

ὥσπερ ἀπὸνιπτρον ἐκχέοντες ἐσπέρας,
ἅπαντες ἐξίστω παρήγουσι οἱ φίλοι.

Rogers renders these verses thus:

Their friends but now, like people throwing out
Their slops at eve, were crying "Stand away!"

In this passage Aristophanes treats the matter as a joke, and in referring to the unsavory practice of throwing into the street water that had been used for bathing does so merely in order to cite the cry which accompanied the act and to pun upon the word *ἐξίστω*. In a second reference, however, we find a more conscientious attitude, and a plea not to throw outdoors water from the bath or from the washing of the feet²:

μὴτε ποδάνιπτρον θύρας' ἐκχεῖτε μὴτε λούτριον.

The muddy condition to which Athenian streets could be reduced is shown in *Wasps* 259; on this passage W. J. M. Starkie writes thus (in his edition of the *Wasps*, London, Macmillan, 1897):

... Travellers who have visited any of the small towns in Italy or Greece know too well that there may be

¹New York, The Macmillan Company, 1906. The condition of Athenian streets is similarly described in C. B. Gulick, *The Life of the Ancient Greeks*, 15 (New York, Appleton, 1902), and in W. S. Davis, *A Day in Old Athens*, 12 (Boston, Allyn and Bacon, 1914). <Professor Huggill gives the reference to Tucker as page 30, in the 1922 edition (or reprint?).—On the care of streets in ancient Rome I had something to say in THE CLASSICAL WEEKLY 19. 82, 98, 114, 159. C. K.>

²See F. W. Hall and W. M. Geldart, *Aristophanes*, 2, Fragment 306 (in Oxford Classical Text Series).

¹²Diogenes Laertius 10.16-22.

plenty of mud in the streets without rain. In ancient as in modern times there was a rough-and-ready way of getting rid of slops. . . .

He then cites the familiar parallel, Juvenal 3.274-277^{2a}, in which the emptying of slops is listed as one of the perils of Roman streets, and every open window is called a potential menace to the nightly pedestrian:

adeo tot fata, quot illa
nocte patent vigiles te praetereunte fenestras.
Ergo optes votumque feras miserabile tecum
ut sint centariae patulas defundere pelves.

I do not find any reference to the parallel in Aristophanes in such standard editions of Juvenal as those of Mayor, Pearson and Strong, J. D. Duff, Wilson, and Wright. Duff, however, refers to the cry of "Gardy loo!" in Edinburgh, which can be illustrated from Sir Walter Scott's *Heart of Midlothian*, Chapter 27³:

... But the other night comes a Highland quean of a lass and she flashes, God kens what, out at the east-most window of Mrs. MacPhail's house, that's the superior tenement. I believe the auld women wad hae greed, for Luckie MacPhail sent down the lass to tell my friend Mrs. Crombie that she had made the gardyloo out of the wrang window, out of respect for twa Highlandmen that were speaking Gaelic in the close below the right ane. . . .

Also in the same novel, Chapter 38⁴, we read: "the overwhelming cataract of her questions, which burst forth with the sublimity of a grand gardyloo. . ."

B. B. Rogers, in his note on Aristophanes, *Acharnians* 616, cites another similar reference in Scott's *Waverley*. An earlier reference to the same practice in or about Edinburgh is found in Tobias Smollett's *Humphry Clinker*⁵. A letter purporting to be from an illiterate correspondent and dated at "Addingborough" contains the following^{6a}:

at ten o'clock at night the whole cargo is flung out of a back windore that looks into some street or lane, and the maid calls, "Gardy loo" to the passengers, which signifies "Lord have mercy upon you" and this is done every night in every house in Haddingborough. . . .

The unsanitary arrangement glanced at by Sir Walter Scott and dilated upon by Smollett is clearly and explicitly described by Henry Grey Graham, in his *Social Life of Scotland in the Eighteenth Century* (London, Adam and Charles Black, 1899). In Chapter III, *Town Life—Edinburgh*, he writes (1.83-84):

... There was something impressive in the houses towering to ten to twelve stories in height of that extended street, though its continuity was then broken midway by the Netherbow Port—the Temple Bar of Edinburgh—with its huge iron gateway. There was picturesqueness in the houses, whose wooden-faced gables were turned to the streets, the projecting upper story making piazzas below. But the few visitors from England were impressed far more by its dirt and dinginess than by its quaint beauty, by the streets which were filthy, the causeways rugged and broken, the big gurgling gutters in which ran the refuse of a crowded population, and among which the pigs poked their snouts in grunting satisfaction for garbage. By ten

o'clock each night the filth collected in each household was poured from the high windows, and fell in malodorous plash upon the pavement, and not seldom on unwary passers-by. At the warning call of "Gardy loo" (*Gardez l'eau*) from servants preparing to outpour the contents of stoups, pots, and cans, the passengers beneath would agonisingly cry out "Haud yer hand"; but too often the shout was unheard or too late, and a drenched periwig and besmirched three-cornered hat were borne dripping and ill-scented home. At the dreaded hour when the domestic abominations were flung out, when the smells (known as the "flowers of Edinburgh") filled the air, the citizens burnt their sheets of brown paper to neutralize the odours of the outside, which penetrated their rooms within. On the ground all night the dirt and ordure lay awaiting the few and leisured scavengers, who came nominally at seven o'clock next morning with wheel-barrow to remove it. But ere that morning hour the streets were becoming thronged, for people rose and business began early, and the shopkeepers, treading cautiously amid the filth and over the teeming gutters, had set forth to open their booths. Worst of all was the Sunday, when strict piety forbade all work, deeming that street-cleansing was neither an act of necessity nor one of mercy, and required the dirt to remain till Monday morning.

Graham remarks in a footnote that "dealers in brown paper are said to have made no little profit by selling that article for deodorising purposes".

Boswell, in his *Life of Dr. Johnson*, is at pains to point out that the practice was not confined to Edinburgh. In comparing Johnson's imitation of Juvenal's third satire with that of Oldham, he says⁶:

The particulars which Oldham has collected, both as exhibiting the horrors of London, and of the times, contrasted with better days, are different from those of Johnson, and in general well chosen, and well exprest.

In a footnote Boswell adds:

I own it pleased me to find amongst them one trait of the manners of the age in London, in the last century, to shield from the sneer of English ridicule, what was some time ago too common a practice in my native city of Edinburgh!

"If what I've said can't from the town affright,
Consider other dangers of the night;
When brickbats are from upper stories thrown,
And emptied chamberpots come pouring down
From garret windows."

Professor W. Rennie⁷ also rallies to the defence of Edinburgh:

... 'Gare l'eau' may have been a well-known cry from the windows of Paris, but 'gardy loo' is certainly not to be heard now even in the oldest parts of Edinburgh. Herwerden, however, vouches for the continuance of the custom in the south of Spain, 'morem ad quem hoc loco alluditur ante dimidium fere saeculum in Hispania meridionali adhuc viguisse cum meo damno expertus novi' (Vindic. Aristoph. 9).

The custom in Paris is also attested by a passage in Laurence Sterne's *Sentimental Journey Through France and Italy*⁸. In a passage supposed to be a translation from the "old French of Rabelais's time", we read:

if there is but a cap-full of wind in or about Paris, 'tis more blasphemously *sacre-Dieu'd* there (on the

^{2a}Starkie gives the reference as "Juvenal iii.26. . . ." There are two errors here, "26" for "274-277" and 26 (one verse only) for the four verses cited by Mr. Starkie! C. K. >.

³See page 287 in the Everyman's Library edition.

⁴*Ibidem*, 403.

⁵Page 264 (Hutchinson, London, 1905).

^{6a}The quotation from *Humphrey Clinker* is exact. C. K. >.

⁶1.65, in the Everyman's Library edition. <See 1.99-100, in the edition by J. M. Dent and Co. (London, 1897). C. K. >.

⁷Note on Aristophanes, *Acharnians* 616 (London, Edward Arnold, 1909).

⁸Clonmel Society de luxe edition of Sterne's works, 3.350 (New York, 1899).

Pont Neuf) than in any other aperture of the whole city—and with reason, good and cogent, Messieurs; for it comes against you without crying *garde d'eau*...

Rogers⁹, quoting from Beckman's *Inventions*, gives another reference to *Gare l'eau* in Paris¹⁰.

The Oxford New English Dictionary gives the derivation of *gardy loo* as *gare de l'eau*, incorrect French for *gare l'eau*.

Modern ideas of sanitation are having their effect too in the towns of contemporary Greece. During the past summer, my wife and I had the pleasure of spending a few days in Kalamata, and stopping at the clean and comfortable Xenodocheion Basilikon, which we highly recommend to any who may follow us. On the walls of our room were prominently displayed placards bearing the following legends:

ΜΗ ΠΙΤΕΤΕ ΣΤΟ ΠΑΤΩΜΑ
ΕΙΝΑΙ ΑΒΑΕΣ
ΜΗ ΠΙΤΕΤΕ ΝΕΡΑ ΣΤΟ ΠΑΤΩΜΑ

UNIVERSITY OF MANITOBA,
WINNIPEG, CANADA

W. M. HUGILL

Note on Professor Hugill's Paper

For a passage that well illustrates part of Professor Hugill's paper see Boswell, in *The Journal of a Tour to the Hebrides*, 1.9-10 (in the edition by J. M. Dent and Co., London, 1888):

On Saturday the fourteenth of August, 1773, late in the evening, I received a note from him that he was arrived at Boyd's inn, at the head of the Cannongate <in Edinburgh>. I went to him directly. He embraced me cordially; and I exulted in the thought, that I now had him actually in Caledonia. Mr. Scott's amiable manners, and attachment to our *Socrates*, at once united me to him. He told me that, before I came in, the Doctor had unluckily had a bad specimen of Scottish cleanliness. He then drank no fermented liquor. He asked to have his lemonade made sweeter; upon which the waiter, with his greasy fingers, lifted a lump of sugar, and put it into it. The Doctor, in indignation, threw it out of the window. Scott said, he was afraid he would have knocked the waiter down. Mr. Johnson told me, that such another trick was played him at the house of a lady in Paris. He was to do me the honour to lodge under my roof. I regretted sincerely that I had not also a room for Mr. Scott. Mr. Johnson and I walked arm-in-arm up the High-street, to my house in James's court: it was a dusky night: I could not prevent his being assailed by the evening effluvia of Edinburgh. I heard a late baronet, of some distinction in the political world in the beginning of the present reign, observe, that "walking the streets of Edinburgh at night was pretty perilous, and a good deal odoriferous." The peril is much abated, by the care which the magistrates have taken to enforce the city laws against throwing foul water from the windows; but, from the structure of the houses in the old town, which consist of many stories, in each of which a different family lives, and there being no covered sewers, the odour still continues. A zealous Scotsman would have wished Mr. Johnson to be without one of his five senses upon this occasion. As we marched slowly along, he grumbled in my ear, "I smell you in the dark!" But he acknowledged that the breadth of the street, and the loftiness of the buildings on each side, made a noble appearance. C. K. >.

⁹On Aristophanes, *Acharnians* 616.

REVIEW

On the Commonwealth, Marcus Tullius Cicero. Translated, with Notes and Introduction, by George Holland Sabine and Stanley Barney Smith. Columbus: The Ohio State University Press (1929). Pp. ix + 276.

The contents of the scholarly and useful volume entitled *On the Commonwealth*, Marcus Tullius Cicero, by Professors Sabine and Smith, are as follows:

Part I. Introduction (1-102): Chapter I. The Commonwealth and its Author (1-6), Chapter II. The Political Theory of the Stoics (7-38), Chapter III. Cicero's Political Theory (39-67), Chapter IV. The Institutions of the Ideal Commonwealth (68-99), Bibliography (100-102); Part II. Cicero on the Commonwealth (103-269), a complete translation of Cicero, *De Re Publica*, Index (271-276).

The Introduction is largely devoted to a detailed treatment of the sources and the character of Cicero's political philosophy. A full analysis is given of the contents of the *De Re Publica* and the *De Legibus*. All students of these fragmentary and often obscure works will find especially helpful the clear, complete, and systematic account of Cicero's ideal State given in Chapters III and IV of this work.

The translation is particularly well done. It is very free throughout, being in fact often an extended paraphrase of the meaning rather than a translation in the strictest sense. This type of rendering is well suited to a technical work such as the *De Re Publica*, and has the advantage of enabling the translators to dispense with notes on many small points. Nevertheless, seven hundred notes on the Introduction and the translation have been included in the volume. These form an important part of the work. They contain not only references to the sources in support of all statements made in the Introduction, and the necessary commentary on the translation, but also copious references to modern authorities.

A translation of the *De Legibus* could have been included in the volume without enlarging it beyond due bounds. Such an addition would have been very helpful, since that work is almost, if not quite, as important to the serious student of Cicero's ideal State as is the *De Re Publica*.

I have the following criticisms to make on points of detail in the Introduction and the Notes.

In their criticism of the theory that Cicero's 'laws' in *De Legibus* 3 are more like a "written constitution" (in the modern sense) than any other ancient document (74-75) Professors Sabine and Smith appear to have been led astray by failure to recognize the distinction between such a written constitution and a general code of law.

The positive statement (81, 85) that in Cicero's ideal State the dictator was to be appointed by the Senate appears to be based solely on conjecture. Cicero (*De Legibus* 3. 9) says merely that there shall be a dictator if the Senate so decrees. The words *ave sinistra dictus*, used of the actual appointment, seem to point to the traditional method of choice by a consul. If that is what is intended, the only change from actual Roman law would be the provision that the Senate

should have the legal right to determine the time when a dictator was to be appointed.

Messrs. Sabine and Smith decide (91) that "no satisfactory answer can be given" to the question as to where the monarchical element in Cicero's ideal State is to be found. They are inclined, however, to believe that this element is represented by the consulship (92). It seems strange that there should be any hesitation about accepting this conclusion as fully demonstrated. The first words of Cicero's definition of the consular power in his 'laws' for the ideal State, *regio imperio duo sunt* (De Legibus 3. 8), and his description of that power in the early Roman Republic, *uti consules potestatem haberent... genere ipso et iure regiam* (De Re Publica 2. 56), clearly put the matter beyond question. Nor is this conclusion in the least affected by Cicero's statement of the sole conditions under which the balanced constitution can possess stability: *ut et potestatis satis in magistratibus et auctoritatis in principum consilio et libertatis in populo sit* (De Re Publica 2. 57). Another fact which troubles the authors (92) in this connection is that "the dictatorship is represented as a very close approximation to monarchy...", in De Re Publica 2. 56. But this serves only to confirm the certain identification of the royal element with the consulship, since the dictatorship, when it is in existence in Cicero's ideal State, *replaces* the consulship, as it evidently did in the early Roman Republic¹. Of course the dictatorship was more royal in character than the consulship was. Yet it appears that the authors' doubts about the identification of the royal element with the consulship are due in part to the fact that they persist in trying to explain away (81, note 73) Cicero's attempt, in his 'laws', to make the consular power more royal in his ideal State than it was at Rome.

In stating that the magistrates possess the right of entering the Senate after their terms of office expire (77) Messrs. Sabine and Smith are again indulging in pure conjecture. It is apparent that such a right as this would not have allowed the number of senators in the ideal State to be a fixed number, as it was in Rome. All that Cicero says is *exque is senatus esto* (De Legibus 3. 10); *is* (= *eis*) here refers to *omnes magistratus*. Taken strictly, this seems to mean that the censors are limited to magistrates or ex-magistrates in their choice of new senators, but it would not give the right of entering the Senate to any particular ex-magistrate.

There appears to be no basis in Cicero's text for the statement (79) that the censors "have the power to prosecute² all <retiring magistrates> who cannot show that they have been honest and efficient...", nor for the conclusion (87) that, according to Cicero's ideal laws, "any person who causes civil uprising to subside shall be acclaimed as a beneficent citizen..."³

The authors' conclusion (89, and note 117) that legislation in Cicero's ideal State is to be a cooperative

act of the Senate and a popular assembly, at least in declarations of war and in enlarging the Praetorial College, seems to rest on a misunderstanding of Cicero's statements. He says (De Legibus 3. 8-9) that either the Senate or the people may make such decisions; he makes no mention of joint action.

The statement (4) that Cicero was killed "in his sixty-third year" is inaccurate. The phrase (79) "to keep them <the laws> from being altered..." is obscure; by reference to Cicero's words (De Legibus 3. 46) we learn that the meaning is 'to keep the text of the laws from being tampered with'.

Messrs. Sabine and Smith translate (177) the last sentence of De Re Publica 2. 43 by

"...A people who live under a monarchy are wholly deprived of many blessings. The first of these is liberty, which consists not in being subject to a lawful master, but in being subject to no master at all..." and comment (note 67) as follows:

"Unless it was qualified in the lacuna, this sentence is strangely at odds with Cicero's usual view, that freedom depends upon law.... The view of liberty given in the text represents the characteristic usually assigned to bad democracy..."

They appear to be quite wrong in this conclusion; the use of the word *dominus* (= a master of slaves) in the sentence makes the passage quite clear and consistent⁴.

The notes on Cicero's derivations of words are less carefully stated than the others. He is treated quite unjustly in this regard in such statements as the following: "Cicero derives *assidui* from *ab asse dando*..." (175, note 60); "...Cicero derives *sedilio* from *seorsum ire*" (251, note 4); "I. e., *dictator* from *dicitur*..." (147, note 111).

The reviewer has little fault to find with the translation. The following are the chief passages in which he differs from the interpretation given.

1. 1: *cum cogeret eum necessitas nulla* is entirely omitted in the translation (105).

1. 25: *Nonis Quintilibus* is rendered by "Nones of August" (121).

1. 32: *ut visus est* can hardly in this passage mean "as appears to be the case" (126).

1. 43: *populi res* is elsewhere rendered by "the people's affair"; it is confusing to find this technical term translated here (132) by "the condition of the commons".

1. 52: *optimum* is taken as referring to a person (139), but the context seems to show that this part of the sentence refers to the democratic constitution. If so, this word must be in the neuter gender.

1. 61: *totam*, a word which clarifies the meaning of the passage, is omitted in the translation (145).

2. 36: *atque etiam Corinthios*.... The translation is so very free at this point that the *publici equi* are entirely disregarded (172).

2. 63: *omni imperio* cannot here mean "the authority of every magistracy" (189), since Cicero has just stated (2.62) that there were no other magistrates at the time of the decemvirs.

⁴Note the use of *dominus* in De Re Publica 2. 47-48, 3. 46.

¹See De Legibus 3. 9 *idem iuris quod duo consules teneto*, and De Re Publica 1. 63 *Gravioribus vero bellis etiam sine collega omne imperium nostri penes singulos esse voluerunt*. Compare my remarks on this subject in Studies in Philology 14 (1917), 298-305 (published by the University of North Carolina, at Chapel Hill, North Carolina).

²The italics are mine.

³Cicero's statement is *intercessor rei malae salutaris civis esto* (De Legibus 3. 11).

5. 5: *cum agri culturam saepissime opera deficiat* can hardly mean "since very frequently his duties have nothing to do with tilling the soil" (245).

6. 9: *consuli* is omitted in the translation (256).

6. 28: *voluptatibus oboedientium* is omitted in the translation (268)⁵.

COLUMBIA UNIVERSITY

CLINTON W. KEYES

Ancient Painting From the Earliest Times to the Period of Christian Art. By Mary Hamilton Swindler. New Haven: Yale University Press (1929). Pp. xlv + 488 + 149 (not paginated¹, containing 640 Figures). \$5.00.

Author and publisher alike may be justly proud of Professor Mary Hamilton Swindler's volume, *Ancient Painting*. It is the result of fifteen years of preparation, the author tells us (Preface, x), "with various summers in Italy, Egypt, Greece, the Caves of France, and the Museums of Europe..." Yet the author has evidently kept her manuscript constantly up to date—a terrific task, when one considers the amount of discovery and publication in this field. The result is a book which combines careful technical scholarship with readability. To the student of ancient art it will be indispensable, but every classical scholar can find much that will interest him, especially in the Figures, which tell as much about ancient life and thought as they do about ancient art. What such a book will mean to scholars out of reach of good libraries or museums words can hardly express. For example, there are six hundred and forty illustrations plus sixteen full-page Plates (the latter are in the body of the volume). The provenience of each illustration is clearly stated in the list of illustrations given on pages xvii-xlv. Five of the Plates are in color. Current interest in Etruscology, so greatly stimulated of late in Italy by official encouragement, is recognized by twenty-three pages of text (large pages, too; the volume is a small quarto), and by the insertion of thirty-one illustrations from Corneto, three from Chiusi, three from Veii, and two from Orvieto. The Etruscan coloring Miss Swindler describes (141) as "orgiastic", a strong word, but possibly not too strong.

The contents of the volume are as follows:

Abbreviations (xv); Addenda and Corrigenda <un-numbered page>; <List of> Illustrations <with Descriptions, etc.> (xvii-xlv); I. The Dawn of Art (1-11); II. Egypt (13-44); III. The Orient: Sumeria, Babylonia, the Hittites, Assyria, Persia (45-69); IV. Crete and the Aegean, Mycenae, and Tiryns (71-

⁵I cannot refrain from making some remarks on certain physical aspects of this volume. It seems to me in many ways far from being a credit to the Ohio State University Press. The paper is unattractive. The footnotes have a most forbidding look. The effort seems to have been made to crowd as much as possible into a given space. The notes are liberally peppered with "ff." (seldom is a reference given exactly), with examples of absurd punctuation (e. g. on page 211, "... see Euripides: *Ion*, 29; 589; 737; Isocrates: 4; 24; 12. 124..."), with absurd abbreviations, with innumerable instances of "*op. cit.*" (on page 95 *op. cit.* occurs 7 times in 9 lines!), and with italics. Silly beyond words are the abbreviations used (see ix) in referring to Cicero's works: "*acad.*", "*parad.*", "*top.*" (I refer here to the small initial letter). The very title of the book, *On the Commonwealth*, Marcus Tullius Cicero, is perverse. Charles Knapp.

¹In other places in the volume pages bear no numbers, though they are counted fully in the pagination. The various University Presses in this country, for some reason or other, are developing a number of silly practices. C. K. >

108); V. Greece: the Primitives and the Archaic Schools (109-158); VI. Drawing and Design on Greek Vases (159-193); VII. Greece: Polygnotus and the Painting of the Fifth Century (195-236); VIII. Etruria and Southern Italy (237-264); IX. Greece: the Painting of the Fourth Century (265-301); X. Hellenistic, Graeco-Roman, Pompeian, and Roman Painting (303-416); XI. The Technical Methods and the Pigments Employed in Ancient Painting (417-429); Conclusion (430-431); Bibliography (433-470); Glossary of Unusual Words (471-472); Index (473-488); Map (489).

The bibliography is divided into groups corresponding to the chapters of the book². Within these groups are subdivisions by special topics—painters, types of art, places, subjects. This arrangement has the disadvantage that a reader may have to skim through several groups to find a single entry; *per contra*, it is very convenient to have in one place e. g. a list of all the important discussions of the frescoes in the *Viale Manzoni*.

The careful and conservative tone which Miss Swindler adopts with reference to controversial subjects may be shown by the following quotation (143): "...Terra cotta figurines are sometimes adduced as evidence for color on sculpture but their size and material are so different from the monuments³, with which we are dealing that the evidence must be used with caution..." Her modesty of statement is sometimes excessive; thus, she says (248, note 26a), of some illustrations of the Tomba del Triclinio, "...The reproductions used by me are from old and unsatisfactory copies". This hardly does them justice, but Miss Swindler remarks, in the earlier part of the same footnote, that accurate reproductions may be found in Mr. Duell's article on the subject⁴.

Miss Swindler's work fills an important gap, and fills it well. The volume is extraordinarily well made; the paper is opaque, the type clear, and the reproduction in the Illustrations admirable. How such a book can be made for five dollars is something of a mystery.

BROWN UNIVERSITY

BENJAMIN C. CLOUGH

CLASSICAL ARTICLES IN NON-CLASSICAL PERIODICALS

IX

Chicago Daily News Midweek—October 15, Reviving Caesar's Rome [seventeen photographic illustrations, with explanations]; After Two Thousand Years the World Pays Tribute to Vergil, Willis A. Ellis [a short, popular article, including a verse translation of *Georgics* 2.458-474, done by the author, and accompanied by a sixteenth century woodcut illustration].

Metropolitan Museum Studies—Volume III, Part I (1930), Unpublished Fragments of Roman Sarcoph-

²The names of publishers are seldom, if ever, given. In my opinion they ought always to be given in a formal bibliography. Certainly the names of the publishers of books should always be given. C. K. >

³A good instance of 'short-cut comparison' (*comparatio compendiaria*). I once rejoiced in a sign, in a tailor's shop, that I saw daily: "Our clothes guaranteed equal in quality and fit to any downtown tailor". C. K. >

⁴Prentice Duell, *The Tomba del Triclinio at Tarquinia*, in *Memoirs of the American Academy in Rome*, 6 (1927), 9, Plates I-IV.

agi in the Metropolitan Museum of Art, Christine Alexander [with fifteen photographic illustrations]; Goniá, Carl W. Blegen [this long article describes the excavations conducted at Goniá, a ridge three miles east of Old Corinth, where a prehistoric settlement was located, and describes in particular detail the pottery which was unearthed there. By the excavations at Goniá "certain definite results were... obtained. The general conclusions drawn from the excavations at Korakou, which afforded a basis for dividing the Bronze Age of the mainland into three stages, the Early, Middle, and Late Helladic Periods, were fully confirmed. Some new illustrations of the simplicity of burial customs in the Middle Helladic Period were brought to light. Furthermore, and this must be regarded as the most important contribution of the small campaign of Goniá, the remains of an earlier civilization, in part at least preceding the Bronze Age, were discovered; and from the pottery brought to light it appears that the earliest inhabitants who have left any trace of their settlement about the Isthmus had close affiliations with Phocis and Thessaly". There are thirty-six photographic illustrations and two color collotype plates].

Modern Language Notes—February, Milton and Plato, R. B. Levinson ["These notes tend to confirm Mr. Agar's conclusion <in Milton and Plato (Princeton, 1928)> that Milton's acquaintance with Plato was broader and on the whole more soberly critical than has usually been supposed. Particularly notable is, I think, Milton's interest in the technicalities of such difficult dialogues as the *Sophist*, *Politicus*, and *Philebus*; and finally the clearness, consistency, and independence with which his Platonic borrowings are developed, provide... a striking example of Milton's intellectual virtues"]; March, "The Maid's Metamorphosis" and Ovid's "Metamorphoses", M. P. Tilley ["Important incidents in the Ceyx-Alcyone and Apollo-Daphne stories in Ovid's *Metamorphoses* are the sources of Act II, Scene i, and of Act III, Scene i, in *The Maid's Metamorphosis*. This indebtedness, although obscured by changes in the material borrowed, may be clearly traced in incidents, characters, and speeches in these two scenes"].

Modern Language Review—January, Lucian and Boiardo in 'Timon of Athens', R. W. Bond [a study in Shakespearean sources]; Brief review, favorable, by H. E. B., of C. H. Beeson, *Lupus of Ferrières*, as Scribe and Text Critic.

Nation (New York)—February 18, Review, mildly unfavorable, by Scott Buchanan, of Paul Shorey, *Plato: The Republic*, Volume I (Loeb Classical Library).

Nineteenth Century and After—February, At the Sabine Farm (With Apologies to Dante and G. H. Hallam), L. S. Amery [an account of an imaginary visit at Horace's farm near Licenza, where the poet himself, as well as Vergil, Caesar, and William Pitt, all marvellously modernized, converse with the visitor].

La Nouvelle Revue Française—February 1, Oedipe (I), André Gide [Act I of a French drama].

Nuova Antologia (Rome)—January 1, *Realtà e Fantasia nella Questione delle Navi di Nemi*, G. C. Speziale [with two photographic illustrations].

Review of English Studies—January, Review, favorable, by G. C. M. S., of M. T. Herrick, *The Poetics of Aristotle in England*.

Revue Critique d'Histoire et de Littérature—October, Review, favorable, by P. Chantraine, of J. Böhm, *Die Seele und das Ich in Homerischen Epos*; Review, critical but generally favorable, by P. Chantraine, of Emil Goldmann, *Beiträge zur Lehre vom Indogermanischen Charakter der Etruskischen Sprache*, Part II; Review, generally favorable, by P. Chantraine, of A. Debrunner, *Sprachwissenschaft und Klassische Philologie*; Review, generally favorable, by P. de Labriolle, of Aimé Puech, *Histoire de la Littérature Grecque Chrétienne*, Volume III; Review, generally favorable, by Ch. Picard, of S. Reinach, *Amalthée: Melanges d'Archéologie et d'Histoire*; November, Review, favorable, by E. Benveniste, of V. Scheil, *Inscriptions des Achéménides à Suse*; Review, generally favorable, by Ch. Picard, of J. B. Bury, *Selected Essays*, Edited by Harold Temperley; Review, very favorable, by A. Grenier, of E. Ciccotti, *Commercio e Civiltà nel Mondo Antico*; Review, favorable, by A. Grenier, of E. Ciccotti, *Motivi Demografici e Biologici nella Rovina della Civiltà Antica*.

Revue des Cours et Conférences—December 30, *La Tradition de l'Archéologie Gallo-Romaine (II): L'Organization du Travail au XIXe Siècle*, Albert Grenier.

Revue Historique—November-December, *Histoire Byzantine: Publications des Années 1926-1930*, Louis Bréhier; Review, favorable, by R. Lantier, of David Randall-MacIver, *Italy Before the Romans*; Review, generally favorable, by R. Lantier, of Jean Bayet, *Hercule: Étude Critique des Principaux Monuments Relatifs à l'Hercule Étrusque*; Long Review, favorable, by R. Joly, of R. M. Dawkins, *The Sanctuary of Artemis Orthia at Sparta Excavated and Described by Members of the British School of Athens, 1906-1910*; Review, generally favorable, by A. Merlin, of D. M. Robinson, *Excavations at Olynthus*, Part II; Review, favorable, by P. Cloché, of A. and M. Croiset, *Histoire de la Littérature Grecque* (revised edition); Review, mildly favorable, by P. Cloché, of E. F. Benson, *The Life of Alcibiades*; Review, mildly favorable, by P. Cloché, of Coleman Phillipson, *The Trial of Socrates, with Chapters on His Life, Teaching and Personality*; Review, uncritical, by P. Cloché, of C. N. Cochrane, *Thucydides and the Science of History*; Review, favorable, by R. Lantier, of Adolf Schulten, *Numantia: Die Ergebnisse der Ausgrabungen, 1905-1912*, Volume IV; Review, favorable, by Ph. Lauer, of E. K. Rand, *Studies in the Script of Tours: A Survey of the Manuscripts of Tours*; Review,

very favorable, by Ph. Lauer, of C. H. Beeson, Lupus of Ferrières as Scribe and Text Critic.

Saturday Review (London)—January 3, Review, generally favorable, by Charles Petrie, of C. W. Crawley, The Question of Greek Independence; January 10, Why Greece Fell, Sir Ronald Ross [this brief article suggests malaria as a factor that "may well have been one of the causes of the decline of Greek civilization....it may well be that the infection was introduced into Greece about the time of Hippocrates by the numerous Asiatic and African slaves taken by the conquerors. Supposing, as is probable, that the mosquitoes capable of bearing malaria infection were already present, all that was required to light the conflagration was the entry of infected persons. Once started, the disease would spread by internal intercourse from valley to valley, would smoulder here and blaze there, and would, I think, gradually eat out the strain of high blood"]; January 31, Review, very favorable, by G. R. Stirling Taylor, of The Cambridge Ancient History, Volume VIII.

School Review—February, Review, mildly unfavorable, by Helen M. Eddy, of Claude C. Crawford and Edna M. Leitzell, Learning a New Language.

School and Society—February 7, To Save Latin by "Enrichment" [this unsigned article, after a brief appraisal of Maxie N. Woodring and Frances E. Sabin, Enriched Teaching of Latin, takes up the cudgels against the teaching of Latin in the Public

Schools. "Among the heavy obstacles to getting from public schools the civic service for which they were instituted and which alone justifies our taking the taxpayers' money are the studies, weak in civic content, which were put into schools with no democratic purpose. Because she takes up so much room and clings to such improbable claims, and does it with such complacent conceit, give Mother Latin the leather medal"].

Studies in Philology—January, Some Characteristics of Roman Lettering and Writing, G. A. Harrer [the purpose of this paper is "to consider some characteristics of Roman lettering which appear in the Capital alphabet, whether cut in stone or bronze, painted, or written, and, second, to make a few suggestions, derived largely from the study of facsimiles of inscriptions, about the forms of writing and features of Roman books for the Classical period from which no books have come down to us"].

Syracuse University Alumni News—December, "Roman Vergil", Perley O. Place ["This brief paper was prepared as introductory to a part of the Reading Course...for the Alumni"].

Zeitschrift für die Neutestamentliche Wissenschaft—Volume 29 (1930), *θεαρπλῆς* No Longer a NT Hapax Legomenon, Henry J. Cadbury; Eine Nichtchristliche Inschrift mit dem Namen "Novatian" aus der Umgegend von Rom, A. v. Harnack.

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